

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROSE COULTER-OWENS, individually, and on behalf of all others similarly situated, Plaintiff, v. TIME INC., a Delaware Corporation, Defendant.	Case No. 12-cv-14390-GCS-MKM Hon. George C. Steeh
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JOINT MOTION TO AMEND SCHEDULING ORDER

Defendant Time Inc. (“Time” or “Defendant”), and Plaintiff Rose Coulter-Owens (“Plaintiff,” and together with Defendant, the “Parties”), by and through their respective counsel hereby move the Court to extend deadlines in the current Scheduling Order as set forth below. In support of their Joint Motion, the Parties state:

1. On October 3, 2012, then-Plaintiff Susan Fox filed her Complaint in this case captioned *Coulter-Owens v. Time, Inc.*, Case No. 2:12-cv-14390 (E.D. Mich.). On November 15, 2013, pursuant to the Parties’ stipulation and the Court’s order (*See* Dkt. 52), Plaintiff Fox was substituted out as named plaintiff, and Plaintiff Rose Coulter-Owens filed her First Amended Class Action Complaint in Fox’s stead. *See* Dkt. 53.

2. On December 3, 2012, Time moved to dismiss the lawsuit filed against it. *See* Dkt. 22. The Court granted in part and denied in part Time’s Motion to Dismiss on August 6, 2013. *See* Dkt. 43.

3. On August 22, 2013, Time filed a Motion for Amendment and Certification of Orders for Interlocutory Appeal and Stay Pending Appeal. *See* Dkt. 46. Plaintiff responded to that

motion on September 12, 2013 and Time replied on September 26, 2013. *See* Dkts. 48, 50.

4. On October 3, 2013, the Court held a scheduling conference in chambers, during which the Parties (and Hearst, defendant in a related matter) informed the Court that they intended to engage in discussions to determine whether settlement was possible. Following the conference, the Court entered an amended scheduling order. *See* Dkt. 51.

5. On March 19, 2014 the Court entered the Stipulated Order to Stay Actions and Extend Dates submitted by the Parties. That stipulated order set January 9, 2015 as the discovery cutoff date in the actions and September 8, 2014 as the cutoff date for witness lists to be filed. (Dkt. 58).

6. On May 19, 2014, the Court entered an order lifting the March 19, 2014 stay of all deadlines in the actions and ordering that the actions proceed along the schedule entered by the Court's on March 19, 2014. (Dkt. 60).

7. Consistent with the March 19, 2014 Scheduling Order as subsequently modified, on June 23, 2014, Defendant Time Inc. filed its Answer to Plaintiff Rose Coulter-Owens First Amended Class Action Complaint (Coulter-Owens Dkt. 65). On August 8, 2014, Time served its Rule 26(a) Disclosures.

8. The Parties are engaged in discovery. Plaintiffs have served written discovery requests on Time and Time provided its written responses and objections to those discovery requests on August 1, 2014. Since then, Time has produced thousands of responsive documents, and continues to produce documents on a rolling basis. Plaintiff has also served a 30(b)(6) deposition notice on Time, and the parties are in the process of scheduling that deposition. Plaintiff has also subpoenaed several third party witnesses, who have responded to Plaintiff's requests, but anticipates serving additional third party discovery as counsel completes its review of Time's document productions. In addition, Time Inc. has served

written discovery requests on Plaintiff and Plaintiff has provided responses and objections and produced certain documents in response to those discovery requests on August 1, 2014. Time has also noticed the deposition of the Plaintiff, which the parties are in the process of scheduling.

9. Although both parties have produced documents and engaged in discovery in good faith, the Parties agree that, particularly in light of the upcoming holidays and difficulties in scheduling depositions, neither will be finished with discovery by the current January 9, 2015 cut off. Given the progress in discovery, the Parties agree that the deadline should be extended as follows:

Event	Current Date	Proposed New Date
Witness lists filed by	November 21, 2014	January 5, 2015
Discovery cutoff	January 9, 2015	March 10, 2015
Class Certification Motion	February 9, 2015	April 10, 2015
Dispositive Motions	February 9, 2015	June 9, 2015
Final Pretrial order	May 11, 2015	September 8, 2015
Final Pretrial conference	May 18, 2015	September 14, 2015
Trial Date	June 8, 2015	October 5, 2015

10. The instant motion is filed in good faith and not for undue delay or for any improper purpose. The Parties believe that extending the deadline for discovery will allow the parties ample time to work together to resolve scheduling and discovery issues and complete discovery in an orderly fashion. It also will allow the Parties time to separate briefing on class certification and dispositive motions, which may allow the parties to file narrower dispositive motions and streamline the case.

WHEREAS, Defendant Time Inc. and Plaintiff Rose Coulter-Owens respectfully request that the Court enter an Order amending the current schedule to the dates set forth above.

Dated: November 21, 2014

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Dated: November 21, 2014

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CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2014, I electronically filed the foregoing Joint Motion to Amend Scheduling Order with the Clerk of the Court via the ECF system, which shall send a notification of such filing to all counsel of record.

By: /s/ Jeffrey Landis
Jeffrey Landis